

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s): David Allison Bennett, et al.

Serial No.: 09/684,869

Filed: October 6, 2000

Title: Reporting Shipping Rates and  
Delivery Schedules For Multiple  
Services and Multiple Carriers

Group Art Unit: 3629

Examiner: Edward R. Cosimano

Attorney Docket No.: PSTM0009/MRK

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JUL 20 2004

GROUP 3600

TERMINAL DISCLAIMER TO OBLIGATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER  
PENDING SECOND APPLICATIONS

STAMPS.COM INC. is the owner of an undivided whole interest in common with ISHIP INC. in the instant application. Documentary evidence of the chain of title in accordance with 37 C.F.R. 3.73 (b)(1)(ii) is recorded: 1.) in an Assignment of the entire right, title and interest from the Inventors named in the instant application to STAMPS.COM INC. as recorded by the Assignment Division of the United States Patent and Trademark Office on March 13, 2001 on Reel No. 011629 and Frame No. 0808; and 2.) in a subsequent Intellectual Property Joint Ownership Agreement Notice of Assignment identifying both STAMPS.COM INC. and ISHIP INC. as Assignees of an undivided whole interest in common in all rights title and interest in and to the instant application as recorded by the Assignment Division of the United States Patent and Trademark Office on March 26, 2004 on Reel No. 014466 and Frame No. 0275.

STAMPS.COM INC. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending Application Numbers 09/680,649, or 09/680,654, or 09/684,014, or 09/684,861, or 09/684,865, or 09/684,866, or 09/684,010, or 09/685,077, or 09/685,078, all of which were filed on October 6, 2000, (collectively, referred to herein as the "pending second applications") of any patent on the aforementioned pending second applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on any of the pending second applications, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is empowered to act on behalf of STAMPS.COM INC.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Seth W. Weisberg  
Signature

Seth Weisberg  
Typed or printed name

(310) 482-5808  
Telephone Number

July 8, 2004  
Date

VP+General Counsel  
Title

The terminal disclaimer fee under 37 CFR 1.20(d) is included.



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Signature

W Tim Davis

Typed or printed name

(425) 602-5014

Telephone Number

Date

7/12/04  
VP & General Manager  
Title: iShip, Inc.

The terminal disclaimer fee under 37 CFR 1.20(d) is included.

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